

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	JUDGE CHRISTOPHER A. BOYKO
)	
Plaintiff,)	CASE NO.1:07CR588-001
)	
-VS-)	
)	
MEGAN KACICA,)	<u>ORDER</u>
)	
)	
Defendants.)	

Megan Kacica ("Kacica") wrote a letter to this Court requesting a fixed payment amount toward Restitution. Kacica is currently required to pay \$250.00 per month.

Kacica was sentenced on June 3, 2008 after entering a guilty plea to counts 1, 2 and 3 of an indictment charging violations of 18 USC § 1708 -Theft of Mail; 18 USC § 513(a) - Possessing Counterfeit Securities and 18 USC § 513(b) and 2 - Possession of Counterfeiting Implements, respectively. Kacica is serving a 30 month sentence on each count concurrently and total owes Restitution payment of \$25,014.22.

According to Mr. Painter, Kacica's case manager at Federal Prison Camp Alderson, the Bureau of Prisons uses a formula to calculate monthly payments when a set Restitution payment amount is not ordered by the Court. The formula considers the amount of money an inmate makes per month plus any outside money deposited into their commissary account over a six month period.

Kacica's \$250.00 Restitution payment took into consideration that \$2,000.00 of outside monies were deposited into her commissary account over a six-month period, increasing monies available toward Restitution.

According to 18 U.S.C. 3664(n),

If a person obligated to provide restitution, or pay a fine, receives substantial resources from any source, including inheritance, settlement, or other judgment, during a period of incarceration, such person shall be required to apply the value of such resources to any restitution or fine still owed.

Therefore, the Court denies Kacica's request for the Court to set a Restitution payment amount. Kacica is subject to the Restitution procedures established by the Bureau of Prisons.

IT IS SO ORDERED.

s/Christopher A. Boyko

Christopher A. Boyko
U.S. District Court Judge

October 20, 2009